

Nos. 14-5772/5786

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Jan 16, 2015
DEBORAH S. HUNT, Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

PATRICIA POSEY SEN (No. 14-5772);
ANINDYA KUMAR SEN (No. 14-5786),

Defendants-Appellants.

ORDER

Before: GILMAN and COOK, Circuit Judges; COHN, District Judge.*

Defendants appeal their convictions and sentences on 29 counts of introducing misbranded drugs into interstate commerce. In the exercise of its discretion, the Department of Justice now elects not to proceed further with the prosecution of the defendants. It moves to vacate the defendants' judgments of conviction and remand their cases to the district court so that the United States may move to dismiss the indictments with prejudice. *See* 28 U.S.C. § 2106.

The motion to vacate and remand is **GRANTED**. The defendants' convictions are vacated and their cases are **REMANDED** so that the government may move for dismissal.

ENTERED BY ORDER OF THE COURT

Rich L. Hunt

Deborah S. Hunt, Clerk

* The Honorable Avern Cohn, Senior United States District Judge for the Eastern District of Michigan, sitting by designation.